



POLICE DEPARTMENT COUNTY OF SUFFOLK, N.Y.
STATEMENT FORM
PDCS-1165b

C.C. # 02-99/682
Date 3/27/03 Time 210
Page 1 of 2

Richard J. Goodman
name

(being duly sworn) deposes

(words "being duly sworn" are to be crossed out if a sworn statement is not being prepared) that I am 49
(age)

I was born on 3/26/54 I am giving this statement to Det Thomas I Accipelli #308
d.o.b. (name of officer)

I am giving this statement freely, having received no threats or promises to do so.

I am presently at my residence, 123 Jermings
ave Patchogue New York giving this statement to
Det I Accipelli and Det Amato. On or about October
13, 1997 I received a letter from the Village of
Patchogue which stated a violation was found on
my premises. It also stated that the Village could
not obtain liability insurance and I would have
to repair the violation at my own expense.
On or about November 19, 1997 I received
a second letter from the Village of Patchogue
signed by Mary Portieri which stated the work
will be done by 12/1/97 if the work was
not done prior to that date. Subsequent to
the second letter I met with Dan Wirshup
in front of my residence. Mr. Wirshup stated
implied that the entire sidewalk will have to be replaced.
Mr. Wirshup furnished me with Debut Concrete
phone number and informed me that Debut
Concrete had the Village contract. Mr. Wirshup
implied that if I used Debut Concrete
I would not have a problem with the Patchogue
Village code. Mr. Wirshup informed me if I
used Debut Concrete I could have the

Witness Det #308 3/27/03

False statements made herein are punishable as a class
"A" misdemeanor pursuant to Section 210.45 of the Penal
Law

Richard J. Goodman 3/27/02
Signature of person giving statement Date

Signature of person giving

Sworn to before me



POLICE DEPARTMENT COUNTY OF SUFFOLK, N.Y.
STATEMENT FORM
PDCS-1165b

C.C. # 02-99/682
Date 2/27/03 Time 21
Page 2 of 2

I, _____ (being duly sworn) depose

(words "being duly sworn" are to be crossed out if a sworn statement is not being prepared) that I am _____ (age)

I was born on _____ d.o.b. I am giving this statement to _____ (name of officer)

I am giving this statement freely, having received no threats or promises to do so.

Richard J. Goodman statement continued.

sidewalk and the curb done simultaneously.
The sidewalk and the curb was installed
on or about June or July of 1998. I paid
Debut Concrete for the sidewalk on July 9, 1998
by check; # 5936. The check was made payable
to Stephen Milval. I have read the above
statement consisting of two pages and
swear that it is all true.

Witness DAF #322 2/27/03
False statements made herein are punishable as a class
"A" misdemeanor pursuant to Section 210.45 of the Penal
Law

Signature of person giving statement 2/27/03
Date

Signature of person giving

Sworn to before me



POLICE DEPARTMENT COUNTY OF SUFFOLK, N.Y.
STATEMENT FORM
PDCS-1165b

C.C. # 02-991682
Date 3/27/03 Time
Page 1 of 2

Edward R. Detweiler
name

(being duly sworn) dep

(words "being duly sworn" are to be crossed out if a sworn statement is not being prepared) that I am 30
(age)

I was born on 2/15/64 d.o.b. I am giving this statement to DAI Thomas Iacopelli #302
(name of officer)

I am giving this statement freely, having received no threats or promises to do so.

I am giving this statement to Det. Iacopelli and Det. Amato at my office, 2150 Smithtown Ave; Ronkonkoma, N.Y. To the best of my recollection on November 3, 1997 I received a letter from the Village of Patchogue. In that letter it was determined that my sidewalk in front of my residence, 1341 Jennings Ave had a violation. Additionally, the letter stated that I had to fix the violations because the Village of Patchogue was unable to get liability insurance. This letter was signed by Mary Pontieri the Village Clerk. Subsequent to the letter I made an appointment with Dan Wirshup an Inspector with the Village. I informed Mr. Wirshup that the damage to my sidewalk was caused by a snow plow during snow removal. Mr. Wirshup told me that there was no proof that the snow plow damaged the sidewalk and I was responsible for replacing the sidewalk. Mr. Wirshup told me that there were enough cracks in the sidewalk so that the entire sidewalk had to be replaced. At this point in time I felt that I was under a lot of pressure to get the sidewalk replaced. On May 26, 1998 I received

with DAI #302 3/27/03
False statements made herein are punishable as a class
"A" misdemeanor pursuant to Section 210.45 of the Penal
Law

Signature of person giving

Edward R. Detweiler
Signature of person giving statement

3/27/03
Date

Sworn to before me



POLICE DEPARTMENT COUNTY OF SUFFOLK, N.Y.
STATEMENT FORM
PDCS-1165b

C.C. # 02-791682
Date 3/27/03 Time
Page 2 of 2

I, _____ name _____ (being duly sworn) dep

(words "being duly sworn" are to be crossed out if a sworn statement is not being prepared) that I am _____ (age)

I was born on _____ d.o.b. . I am giving this statement to _____ (name of officer)

I am giving this statement freely, having received no threats or promises to do so.

Edward R. DeFuria's statement continued.
a second letter from Mary Pontieri, which stated
that the sidewalk work was scheduled for June
22, 1998 and that I would have to pay for it.
After receiving the second letter I felt even
more pressure to have the sidewalk replaced.
Subsequently, I decided to have Debut Concrete
replace the sidewalk in coordination with the
curb replacement. After the job was done I
expressed to Debut Concrete that the job was not
done correctly in that there was no expansion
joint between the sidewalk and curb. The person
from Debut told me that the job was done
according to state code and that they would
know best because they do all the municipal
jobs. I have read the above statement consisting
of two pages and swear that it is all true

address DAF to Earl #00 3/27/03

False statements made herein are punishable as a class
"A" misdemeanor pursuant to Section 210.45 of the Penal
Law

Edward R. DeFuria 3/27/03
Signature of person giving statement Date

Signature of person giving

Sworn to before me



POLICE DEPARTMENT COUNTY OF SUFFOLK, N.Y.
STATEMENT FORM
PDCS-1165b

C.C. # 02-991682
Date 3/20/03 Time 5
Page 1 of 3

Matthew A. Koch
name

(being duly sworn) depo

(words "being duly sworn" are to be crossed out if a sworn statement is not being prepared) that I am 30
(age)

I was born on 5/4/72 I am giving this statement to DAE Khawar D. Scappelli #3
d.o.b. (name of officer)

I am giving this statement freely, having received no threats or promises to do so.

I am giving this statement to Det.
Scappelli at my residence 140 Jennings Ave
Patchogue. I have lived here with my wife
and mother-in-law since 1995. On or about
mid October 1997 my mother-in-law Lucy Brown
who is the owner of above residence received a
letter from the Village of Patchogue which stated
that the Village was unable to get Liability Insurance
on its streets and sidewalks and that a violation
has been found on our premises. The letter stated
that we had forty-eight hours to repair and
make safe these violations. Immediately after
receiving the letter I called the Village and
spoke with a female whom I believe to be
Mary Pontieri the author of the letter and
Village Clerk. After a brief discussion with
her regarding my request to have someone show
me what was wrong she told me that someone
from the Village would come to my residence.
Within a weeks time Mr. Don Winslow arrived
at my residence. He and I stood on the
sidewalk in front of my house and he pointed
to minor cracks on the sidewalk which he said

DAE Scappelli #300 3/20/03

False statements made herein are punishable as a class
"A" misdemeanor pursuant to Section 210.45 of the Penal
Law

Signature of person giving

Matthew A. Koch

3/20/03

Signature of person giving statement

Date

Sworn to before me



POLICE DEPARTMENT COUNTY OF SUFFOLK, N.Y.
STATEMENT FORM
PDCS-1165b

C.C. # _____
Date 3/20/03 Time 1
Page 2 of 3

I, _____ (being duly sworn) depose

(words "being duly sworn" are to be crossed out if a sworn statement is not being prepared) that I am _____ (age)

I was born on _____ d.o.b. . I am giving this statement to _____ (name of officer)

I am giving this statement freely, having received no threats or promises to do so.

statement continued

were in violation and that the cracks were tripping hazard. I would like to state that the sidewalk was even and although there were mason cracks in it there were no depressions or elevations to the sidewalk. After approximately a half hour conversation with Don Winship he informed me that the sidewalk had to be replaced. I got from Mr. Winship about the forty-eight hour period mentioned in the letter from the Village and he impressed upon me that the work had to be done as soon as possible. I told him that I wanted to bring in contractors to get estimates. Just prior to or just after I told him about estimates he handed me a business card from A-but Concrete. Don Winship told me that some contractors do not know what the Village codes are. He stated that A-but Concrete knows the codes for the Village and that A-but Concrete was doing work for the Village. He also stated to me if the job was not done to code it would have to be

+ DATED March 20 2003

False statements made herein are punishable as a class "A" misdemeanor pursuant to Section 210.45 of the Penal Law

+ [Signature]

Signature of person giving statement

3/20/03

Date

Signature of person giving

Sworn to before me



POLICE DEPARTMENT COUNTY OF SUFFOLK, N.Y.
STATEMENT FORM
PDCS-1165b

C.C. # 02-94/682
Date 3/20/03 Time 15
Page 3 of 3

I, _____ (being duly sworn) depo
name

(words "being duly sworn" are to be crossed out if a sworn statement is not being prepared) that I am _____ (age)

I was born on _____ d.o.b. I am giving this statement to _____ (name of officer)

I am giving this statement freely having received no threats or promises to do so.

statement continued
born up and redone and I would have
to do the expense for the job again.
I would like to state that during the
conversation with Mr. Winship I felt an
enormous amount a pressure to have this
work done immediately and additionally
I felt a considerable amount of pressure
to have Debut Concrete do the job. I have
read the above statement consisting of three
pages and swear that it is all true

[Signature]

False statements made herein are punishable as a class
"A" misdemeanor pursuant to Section 210.45 of the Penal
Law

[Signature]

Signature of person giving statement

3/20/23

Date

Signature of person giving

Sworn to before me

Page 1 of 2.

I, Barbara Valencin do make the following Statement:
I am 50 years old born 2/12/53 in Amityville, N.Y.
I Live at 131 Jennings Ave, Patchogue with my husband Oscar.

On or about October 8, 1997 We received a letter from Patchogue Village advising us that The Village was unable to obtain liability insurance and that there was some kind of violation on our sidewalk. We were advised to make the necessary repairs within 48 hours.

I answered the village letter by correspondence asking for more time due to recent financial expenditures.

About a month later about November 19, 1997 I received another letter from the Village clerk Mary Pontieri advising that I had not responded to their first letter.

I called the Village and advised them to refer to my correspondence following their Oct 8 letter. Two days later a Village employee Dan Winkup called me back. He told me that if I don't replace the sidewalk in front of my house, The Village highway department would arrange to do it and bill the expense into my taxes.

A few weeks later he showed up at my door, I think Dec 5, 1997 and told me that Debut Construction would be doing the curbs in the village and that I should probably give them a call as then the job would be done at one time.

I had already gotten some estimates for the work

Page 2 of 2.

And one of the estimates was lower than the one that DeSot gave to me when he came to estimate.

I decided to go with DeSot sometime in early June 1998, because I received another letter from the Village which told me that work was going to begin on June 22, 1998 and it would be billed to me.

DeSot Construction did show up the week of June 22, 1998 and did replace the sidewalk, curbing and apron in front of my house.

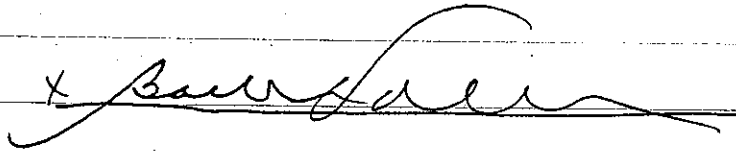
The work performed was shoddy and I had to call DeSot back to repair the driveway apron.

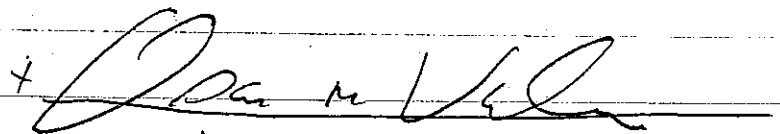
~~In June~~ In October 1998, DeSot still had not returned ^{contracted by} to fix my driveway so I ~~called~~ ^{contacted} the Village. Don Winship came by and said the Village would take care of the problem, which they did.

I would like to say that my husband and I felt pressured by the Village to have the sidewalk done by DeSot Construction.

I have read the above and I swear it is all true.

Sworn to before Me
this day of March, 2003
Robert Amato.

+ 

+ 

witness

ROBERT AMATO
Notary Public, State of New York
No. 52-0057910
Qualified in Suffolk County
Commission Expires March 30, 2004

Feb 28, 2004



POLICE DEPARTMENT COUNTY OF SUFFOLK, N.Y.
STATEMENT FORM
PDCS-1165b

C.C. # 02-99/682
Date 3/27/03 Time 12
Page 1 of 2

Edward Rafano
name

(being duly sworn) dep

(words "being duly sworn" are to be crossed out if a sworn statement is not being prepared) that I am 44
(age)

I was born on 10/20/58 d.o.b. I am giving this statement to DAI Thomas Iacopelli #300
(name of officer)

I am giving this statement freely, having received no threats or promises to do so.

I am giving this statement to Det Iacopelli and Det Amato at my residence 33 Torrey Pine Lane Medford N.Y., also present is my wife Debra Rafano. I am the owner of 74 Terry St Patchogue and in the fall of 1999 I was the owner and proprietor of Village Automotive located at 72 Terry St Patchogue N.Y. In the fall of 1999 I was the owner of both properties. On or about that time the sidewalk in front of 74 Terry St and the driveway apron between 74 and 72 Terry St. was torn up by private contractor now known to me as Debut Concrete. The sidewalk and driveway apron at that time was ten years old with no apparent cracks or defects. I was never notified by the village that the work was to be done and I was never notified that the sidewalk was in violation of the village code. When Debut Concrete tore the sidewalk and apron up I was informed that the village was replacing all the sidewalks. Mayor Keegan came to location and informed me that everything will be taken care of. Approximately

Witness DAI Iacopelli #300 3/27/03

False statements made herein are punishable as a class "A" misdemeanor pursuant to Section 210.45 of the Penal Law

Edward Rafano
Signature of person giving statement

3/27/03
Date

Signature of person giving

Sworn to before me



POLICE DEPARTMENT COUNTY OF SUFFOLK, N.Y.
STATEMENT FORM
PDCS-1165b

C.C. # 02-991682
Date 3/27/03 Time 12
Page 2 of 2

I, _____ (being duly sworn) deposit
name
(words "being duly sworn" are to be crossed out if a sworn statement is not being prepared) that I am _____ (age)

I was born on _____ d.o.b. I am giving this statement to _____ (name of officer)

I am giving this statement freely, having received no threats or promises to do so.

Edward Retano statement continued.
one month after this incident I received
a Bill from the village amounting to approximately
\$1500.00 usd. I called the village and was
informed that if I did not pay the Bill
it would be added to my taxes. Subsequently,
my wife Debra called the village and spoke to
Mary Pontiere. She was told by Mary that
everything would be taken care of. I have
never received another Bill from the Village of
Patchogue. I would like to add that the
only work done was the sidewalk in front
of 74 Terry St and the driveway apron
between 74 and 72 Terry St. The sidewalk
in front of 72 Terry St was never replaced.
I have read the above statement
consisting of two pages and swear that
it is all true.

Witness DATY - Accopelli #308 3/27/03

False statements made herein are punishable as a class
"A" misdemeanor pursuant to Section 210.45 of the Penal
Law

Edward Retano
Signature of person giving statement

3/27/03
Date

Signature of person giving statement

Sworn to before me

3/24/03, 3:15 PM.
02-991682

Statement of Kevin Martens Page 1

I Kevin Martens do make the following statement: I am 47 years old born 9/28/55 in Canarsie, N.Y. I live at 143 Jennings Ave, Patchogue Village N.Y. Tel 631-654-2064. With my Mother. We are presently in the process of moving to North Carolina, Randleman town. Tel 336-495-6478.

In August of 1997 we received a certified letter from the Village of Patchogue which advised us that the Village was not able to secure liability insurance ~~on~~ on its streets. The Village further advised that was a violation on our premises in that our sidewalk was in need of repair. I had been planning on making sidewalk repairs at about the time I got the certified letter.

After receiving the letter I spoke over the phone with Village clerk Mary Pontieri and Dan Wisshup the Super of Highways. Either Pontieri or Wisshup explained to me that if I didn't have the money for the repair, I could get a loan from Commercial Credit Development Corporation. The contact people were Peter Moscoho (phonetic spelling) or Anthony Falcone tel 415-381. I decided not to borrow the money after talking to the folks at Commercial Credit.

Wisshup came by a number of times and he told me that I could not just repair the broken sidewalk and leave the good part. I had to have the whole sidewalk replaced. Mrs. Pontieri also told me the same thing. Wisshup recommended Debut Concrete to do the sidewalk in front of our house. He said that Debut was under contract to do the curbs w Village and that they were

Statement of Kevin Martens Page 2

familiar with the village codes. Wikshup said that he would arrange for someone from Debut concrete to ~~come by~~ come by. Someone from Debut did stop by and gave an estimate to my mother and father while I was at work. I agreed to have debut concrete do the work which also included a driveway and short walk. I paid debut \$2600.00 of which \$1900.00 was for the sidewalk and driveway apron. The job was completed sometime in October 1997.

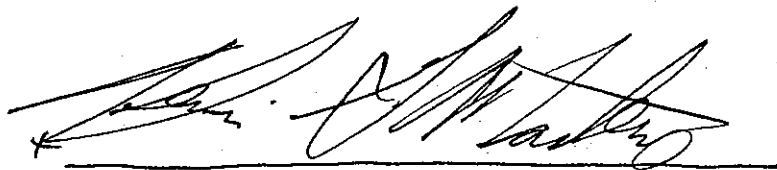
I would like to point out that upon receiving the letter my family and I felt pressured to replace the sidewalk. But, as soon as I contacted Pontieri and Wikshup and agreed to use Debut concrete, they told me not to worry about any time limitations and even granted me an extension.

I recall making a comment to Pontieri that under the circumstances I expected to see a lot of new sidewalks going in.

I have read the above and I swear it is all true.

Sworn to before me
This 24th day of March 2003
Robert Amato

ROBERT AMATO
Notary Public, State of New York
No. 52-0057910
Qualified in Suffolk County
Commission Expires March 30, 19
Feb 18, 2004





POLICE DEPARTMENT COUNTY OF SUFFOLK, N.Y.
STATEMENT FORM
PDCS-1165b

C.C. # 02-99/682
Date 4/29/03 Time 10
Page 1 of 1

Edward Hughes
name

(being duly sworn) deposes

(words "being duly sworn" are to be crossed out if a sworn statement is not being prepared) that I am 43
(age)
I was born on 2/23/60 . I am giving this statement to SAE Thomas Iacopelli
d.o.b. (name of officer)

I am giving this statement freely, having received no threats or promises to do so.

I am giving this statement to
Det Iacopelli and Det Amato at my office
Pilger, Skidmore Associates INC. 218 Medford
Ave. Patchogue. I have been a Broker with
Pilger Skidmore since 1991 and have handled
the Patchogue Village account since that time.
To the best of my recollection Patchogue Village
has never experienced a problem obtaining
liability insurance as it pertains to street
curbing and sidewalks. I have read the
above statement consisting of one page
and swear that it is all true.

Edward Hughes

False statements made herein are punishable as a class
"A" misdemeanor pursuant to Section 210.45 of the Penal
Law

Edward Hughes
Signature of person giving statement

4/29/03
Date

Signature of person giving

Sworn to before me



POLICE DEPARTMENT COUNTY OF SUFFOLK, N.Y.
STATEMENT FORM
PDCS-1165b

C.C. # 02-99682
Date 1/2/03 Time
Page 1 of 1

1. Richard Calame
name

(being duly sworn) dep

(words "being duly sworn" are to be crossed out if a sworn statement is not being prepared) that I am 54
(age)

I was born on 8/17/48 d.o.b. I am giving this statement to DAF Thomas Jacobell #
(name of officer)

I am giving this statement freely, having received no threats or promises to do so.

I am a Vice President for the Wright Risk Management Company Inc. in the Claims Department for the past twelve (12) years and have had the Village of Patchogue as an insured with NYMER since mid 1994 to the present time. In that time and to my knowledge the Village of Patchogue has not had a problem or issue as it pertains to liability insurance with regard to sidewalks, curbing or streets. I have read the above statement consisting of one (1) page and swear that it is all true.

Signature of DAF Thomas Jacobell #302 1/2/03

False statements made herein are punishable as a class "A" misdemeanor pursuant to Section 210.45 of the Penal Law

Signature of person giving statement Richard Calame 1/2/03
Date

Signature of person giving
NOTARY PUBLIC, STATE OF NEW YORK
RESIDING IN SUFFOLK COUNTY
NO. 82-00573-0
COMMISSION EXPIRES 11/20/04

Sworn to before me this 2nd day of January 2003



POLICE DEPARTMENT COUNTY OF SUFFOLK, N.Y.
STATEMENT FORM
PDCS-1165b

C.C. # 02-881082
Date 4/24/03 Time 15
Page 1 of 3

Paul R. Pearo
name

(being duly sworn) deposes

(words "being duly sworn" are to be crossed out if a sworn statement is not being prepared) that I am 33
(age)

I was born on 5/24/69 . I am giving this statement to Det Thomas A. Iacopelli #130
d.o.b. (name of officer)

I am giving this statement freely, having received no threats or promises to do so.

I am at my residence 62 Park Ave Patchogue giving this statement to Det. Iacopelli and Det. Amato from the Suffolk County District Attorney's office. ON OR ABOUT THE ~~24th~~ ^{23rd} of 1999 I received a letter from the Village of Patchogue signed by the Village Clerk, Mary Ponticri. The letter stated that there were violations on my sidewalk and they had to be repaired in forty-eight hours. I called Mary Ponticri immediately and she stated that someone made a complaint about the sidewalk. She declined to identify that person. Within a day or two Dan Winkhusp came to my residence inspected the sidewalk and stated the sidewalk had to be replaced. Within a week the sidewalk was blocked by orange and white highway barriers with bright yellow tape. Within a month, possibly six weeks I attended a meeting at the Patchogue Village Town Hall to ascertain if I would be granted alternate solutions to the sidewalk issue. After a closed door Executive Session Mayor Regan informed me that I would have to replace the sidewalk.

Paul R. Pearo 4/24/03
Signature of person giving statement

False statements made herein are punishable as a class
"A" misdemeanor pursuant to Section 210.45 of the Penal
Law

Signature of person giving

Paul R. Pearo
Signature of person giving statement

Date

Sworn to before me



POLICE DEPARTMENT COUNTY OF SUFFOLK, N.Y.
STATEMENT FORM
PDCS-1165b

C.C. # 02-99-682
Date 4/24/03 Time 1:52
Page 2 of 3

I, _____ (being duly sworn) deposit
name
(words "being duly sworn" are to be crossed out if a sworn statement is not being prepared) that I am _____ (age)

I was born on _____ . I am giving this statement to _____ (name of officer)
d.o.b.

I am giving this statement freely, having received no threats or promises to do so.

~~Paul Peano statement continued.~~
But the Village would replace the curbing around my residence. He also stated that he would have the company that had the contract with the Village do the side walks and that they would charge me the state Bid Rate. Within a couple of days Don Wirshup and Steve Nylund from Debut Concrete came to my house. Don Wirshup stated that Debut Concrete was the company that did the Village work and they would do a good job on my sidewalk. I would like to state that during the entire process since receiving the letter from the Village I felt a considerable amount of pressure to have the sidewalk replaced. In my conversations with Mayor Kregon and Don Wirshup I was made to feel that it would be in my best interest to use Debut Concrete. All during this process I complained to Mary Pontieri and Don Wirshup that there were other side walks in the neighborhood that were in worse shape. Mary Pontieri informed me that they can only do one job at a time.

~~Continued on page 3~~ 4/24/03
False statements made herein are punishable as a class
"A" misdemeanor pursuant to Section 210.45 of the Penal
Law

Paul R. Peano 4/24/03
Signature of person giving statement

Date

Signature of person giving

Sworn to before me



POLICE DEPARTMENT COUNTY OF SUFFOLK, N.Y.
STATEMENT FORM
PDCS-11656

C.C. # 02-991082
Date 4/24/03 Time 1150
Page 3 of 3

I, _____ (being duly sworn) deposes
name
(words "being duly sworn" are to be crossed out if a sworn statement is not being prepared) that I am _____ (age)

I was born on _____ d.o.b. . I am giving this statement to _____ (name of officer)

I am giving this statement freely, having received no threats or promises to do so.

Paul Pearo statement continued.
and that they are going to get to the rest.
Until this day those other sidewalks have not
been repaired or replaced. Furthermore,
Don Wraschup changed the agreed width of
the sidewalk from 3 1/2 feet wide to 4 feet
wide. I have read the above statement consisting
of three pages and swear that it is all
true.

original PDCS-11656 #300 4/24/03
False statements made herein are punishable as a class
"A" misdemeanor pursuant to Section 210.45 of the Penal
Law

Paul R. Pearo 4/24/03
Signature of person giving statement Date

Signature of person giving statement

Sworn to before me



POLICE DEPARTMENT COUNTY OF SUFFOLK, N.Y.
STATEMENT FORM
PDCS-1165b

C.C. # 02-991682
Date 4/23/03 Time 1705
Page 1 of 2

Aileen Nelson
name

(being duly sworn) depose

(words "being duly sworn" are to be crossed out if a sworn statement is not being prepared) that I am 50
(age)
I was born on 3/12/53 I am giving this statement to DAE Thomas Iacopelli #30
d.o.b. (name of officer)

I am giving this statement freely, having received no threats or promises to do so.

I am presently at my residence
259 Southport Street Long Beach N.Y.
giving this statement to Det Iacopelli and
Det. Amato from the Suffolk County District
Attorneys office. On or about the fall of 1997
I received a letter from the village of Patchogue
signed by Mary Pontieri the Village Clerk.
In the letter it was stated that there
were violations to the sidewalk located at
21 North Prospect ave Patchogue. I am the
sole owner of that property. Subsequently,
I contacted someone from Patchogue Village.
I was informed by that person that the
violations had to be corrected. I was also
informed by that person that Debut Concrete
had the Village contract for the curbing. I
informed that person that I was trying to
get the curbs repaired for the past few years
to no avail. This person informed me that
Debut Concrete could do the repairs to the
sidewalk when they replaced the curbs. They
stated that I would have to pay for the
sidewalk and the village would pay for the curb.

x witnessed DAE Thomas Iacopelli #30 4/23/03

Signature of person giving

False statements made herein are punishable as a class
"A" misdemeanor pursuant to Section 210.45 of the Penal
Law

x Aileen Nelson
Signature of person giving statement

Date

Sworn to before me



POLICE DEPARTMENT COUNTY OF SUFFOLK, N.Y.
STATEMENT FORM
PDCS-1165b

C.C. # 02-991682
Date 4/23/03 Time 12:35
Page 2 of 2

I, _____ (being duly sworn) depose
name
(words "being duly sworn" are to be crossed out if a sworn statement is not being prepared) that I am _____ (age)

I was born on _____ d.o.b. I am giving this statement to _____ (name of officer)

I am giving this statement freely, having received no threats or promises to do so.

Hibern Nelson statement continued.
At this point I felt considerable
pressure to have the sidewalk repaired
in a timely manner. I felt additionally
I felt the pressure to use Debut Concrete
in order to have the repairs done in a timely
manner. The person I spoke with did not
recommend any other contractor except
Debut Concrete. I subsequently hired
Debut Concrete to replace three panels of
concrete on the sidewalk. I received
a letter from Debut Concrete post marked
January 28, 1998 stating that they performed
the work as per Village Specs. I relied
upon the recommendation of the person
I spoke with from the village that the
work performed by Debut Concrete would
satisfy the violations. I have read the
above statement consisting of two pages
and swear that it is all true.

Witnessed by [Signature] 4/23/03

False statements made herein are punishable as a class
"A" misdemeanor pursuant to Section 210.45 of the Penal
Law

[Signature] Nelson
Signature of person giving statement

4/23/03
Date

Signature of person giving statement

Sworn to before me



POLICE DEPARTMENT COUNTY OF SUFFOLK, N.Y.
STATEMENT FORM
PDCS-11656

C.C. # 02-89/632
Date 4/2/03 Time 11
Page 1 of 2

I Mohammed G. Refaat
name

(being duly sworn) dep

(words "being duly sworn" are to be crossed out if a sworn statement is not being prepared) that I am 49
(age)

I was born on 9/25/53 . I am giving this statement to SAF Thomas Diacopelli #30
d.o.b. (name of officer)

I am giving this statement freely, having received no threats or promises to do so.

I am presently at my residence 144 Jennings Ave giving this statement to Det Diacopelli and Det. Amato. On or about September or October of 1997, Don Wirshup, Village of Patchogue Supervisor of Public Works came to my home and told me that I had to get my sidewalk replaced. He stated if I don't get the job done, he would have the sidewalk replaced and the Village of Patchogue would charge me for it. A couple of weeks after this, I received a letter from the Village of Patchogue, signed by Mary Ponticci the Village Clerk. The letter stated I had to replace my sidewalk and I had forty-eight hours to do the work. At this point in time I felt I was under a lot of pressure to get the work done. After receiving the letter Don Wirshup came back to my home on at least two occasions and pressured me to have the work done. Don Wirshup quoted me a price to have the sidewalk replaced although I can't remember the price he quoted me. Subsequently, I hired my own

with SAF #30 4/2/03
False statements made herein are punishable as a class
"A" misdemeanor pursuant to Section 210.45 of the Penal
Law

Signature of person giving

Mohammed G. Refaat 4/2/03
Signature of person giving statement Date

Sworn to before me



POLICE DEPARTMENT COUNTY OF SUFFOLK, N.Y.
STATEMENT FORM
PDCS-1165b

C.C. # 02-991682
Date 4/2/03 Time 2
Page 2 of 2

I, _____ (being duly sworn) deposit
name
(words "being duly sworn" are to be crossed out if a sworn statement is not being prepared) that I am _____ (age)

I was born on _____ d.o.b. I am giving this statement to _____ (name of officer)

I am giving this statement freely, having received no threats or promises to do so.

statement continued by Mohammed G. Refaet
Moson to replace my sidewalk. I have
read the above statement consisting
of two pages and sustain that it
is all true

Witness Mark Smith 304 4/2/03
False statements made herein are punishable as a class
"A" misdemeanor pursuant to Section 210.45 of the Penal
Law

Mohammed G. Refaet 4/2/03
Signature of person giving statement Date

Signature of person giving

Sworn to before me



POLICE DEPARTMENT COUNTY OF SUFFOLK, N.Y.
STATEMENT FORM
PDCS-11656

C.C. # 02-99/682
Date 3/27/03 Time 19
Page 1 of 1

David P. Garambone
name

(being duly sworn) depos

(words "being duly sworn" are to be crossed out if a sworn statement is not being prepared) that I am 51
(age)

I was born on 5/12/51 . I am giving this statement to DAI Thomas Iacopelli #30
d.o.b. (name of officer)

I am giving this statement freely, having received no threats or promises to do so.

I am presently at my residence
185 North Ocean ave. Patchogue giving this
statement to Det. Iacopelli and Det. Amato.
On or about August or September 1998
I had my sidewalk in front of my residence
replaced by Rebut Concrete. This job included
the full length of the sidewalk in front of
my house including the driveway apron.
The work cost me \$1000.00 use which I
believe I paid for in a check made to cash.
I would like to add that the curb in front
of my house was not replaced. I had
the work done in response to a letter
I received from the Village of Patchogue dated
July 30, 1998 and signed by Mary Penticri,
Village Clerk. I have read this above statement
consisting of one page and swear that it is
all true

Witness Det. Amato 3/27/03

False statements made herein are punishable as a class
"A" misdemeanor pursuant to Section 210.45 of the Penal
Law

David Garambone 3/27/03
Signature of person giving statement Date

Signature of person giving

Sworn to before me



POLICE DEPARTMENT COUNTY OF SUFFOLK, N.Y.
STATEMENT FORM
PDCS-11656

C.C. # 02-88/682

Date 4/2/03 Time 9:00

Page 1 of 2

Richard H. Minto

(being duly sworn) depos

name

(words "being duly sworn" are to be crossed out if a sworn statement is not being prepared) that I am 64 (age)

I was born on 1/17/39 d.o.b. I am giving this statement to Det. Thomas DiCicco #30 (name of officer)

I am giving this statement freely, having received no threats or promises to do so.

I am presently at my residence 189 North Ocean Ave, Patchogue giving this statement to Det. DiCicco and Det. Amato. In response to a letter from Patchogue Village signed by Mary Pontieri dated August 14, 1999 I contacted Mary Pontieri and Don Winship who is the Village of Patchogue Department of Public Works Superintendent. During telephone conversations with Mary Pontieri and Don Winship I felt pressure to have my sidewalk and driveway apron replaced due to violations on the sidewalk that I was unaware of. In my opinion the condition of my sidewalk did not pose a tripping or safety hazard. My sidewalk did have cracks in it but did not have raised or depressed slabs. During my conversations with Mary Pontieri and Don Winship they strongly recommended that my sidewalk be replaced by Debut Concrete. Mary Pontieri told me that Debut Concrete does the work for the Village of Patchogue. Mary Pontieri and Don Winship directed me to have the entire sidewalk and the driveway apron in front of my residence replaced. I received another letter from the Village of Patchogue dated May 28, 1999.

Witnessed [Signature] 4/2/03
False statements made herein are punishable as a class "A" misdemeanor pursuant to Section 210.45 of the Penal Law

Signature of person giving statement

[Signature]
Signature of person giving statement

Date

Sworn to before me



POLICE DEPARTMENT COUNTY OF SUFFOLK, N.Y.
STATEMENT FORM
PDCS-1165b

C.C. # 02-99/682

Date 4/2/03 Time 091

Page 2 of 2

(being duly sworn) depos

name

(words "being duly sworn" are to be crossed out if a sworn statement is not being prepared) that I am (age)

I was born on d.o.b. I am giving this statement to (name of officer)

I am giving this statement freely, having received no threats or promises to do so.

Richard H. Minuto statement continued.
This letter was also signed by Mary Pontieri Patchogue Village Clerk. The letter stated that the Village of Patchogue will have the sidewalk work done on or about June 21, 1999 by Debut Concrete. At this point in time I felt even more pressure to have the work done subsequent to the second letter dated May 28, 1999 during telephone conversations with Mary Pontieri and Don Wirsup it was recommended that Debut Concrete be hired to replace the sidewalk. I hired Debut Concrete to do the sidewalk and apron in front of my residence. I agreed to pay Debut Concrete cash for a discounted price. The work was completed in the summer of 1999. I have read the above statement consisting of two pages and swear that it is all true.

Witnessed by [Signature]

4/2/03

False statements made herein are punishable as a class "A" misdemeanor pursuant to Section 210.45 of the Penal Law

[Signature]

4/2/03

Signature of person giving statement

Date

Signature of person g

Sworn to before me



POLICE DEPARTMENT COUNTY OF SUFFOLK, N.Y.
STATEMENT FORM
PDCS-11656

C.C. # 02-991642
Date 4/28/03 Time 10
Page 1 of 1

I. George L. Bookheim
name

(being duly sworn) deposes

(words "being duly sworn" are to be crossed out if a sworn statement is not being prepared) that I am 55
(age)

I was born on 1/25/48 . I am giving this statement to Det. James Iacopelli #302
d.o.b. (name of officer)

I am giving this statement freely, having received no threats or promises to do so.

I am giving this statement to Det. Iacopelli and
Det. Amato at my residence 406 Liberty Ave
Pont Jefferson N.Y. I would like to state
that as of March 19, 1998 I was the owner
of 47 Jennings Ave Patchogue. I remember receiving
a phone call from a male caller stating that he
wanted for the Village of Patchogue. He stated
that my driveway apron at 47 Jennings Ave
Patchogue was in violation of the Village code.
He stated that the apron needed to be repaired
as soon as possible. At that time I could not
afford to do the repair. To the best of my
recollection the repairs were never done and I
did not receive a Bill and it was not assessed
to my taxes. I have read the above statement
consisting of one page and sworn that it
is all true

Sworn to by Det. Iacopelli #302 4/28/03

False statements made herein are punishable as a class
"A" misdemeanor pursuant to Section 210.45 of the Penal
Law

[Signature]
Signature of person giving statement

4/28/03
Date

Signature of person giving

Sworn to before me

Mayor ...

Stephen E. Keegan

Trustees ...

Lynn A. Davis

Roy J. Donato

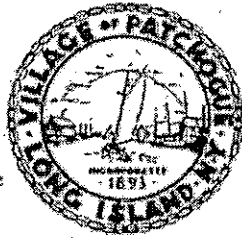
~~Stephen E. Keegan~~

Edward A. Ihne

David M. Kennedy

Peter A. Mosco

Elisabeth
McGuire



Village Clerk ...

Mary Pontieri

• (516) 475-4300
• FAX (516) 475-4314

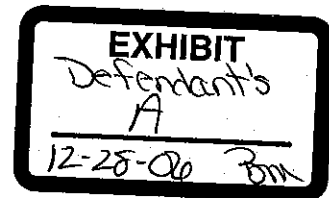
INCORPORATED

Village of Patchogue

14 Baker Street • Post Office Box 719
PATCHOGUE, NEW YORK 11772

Return Receipt Requested

August 26, 1999



Mr. & Mrs. Gregory Boussios
149 Pine Acres Boulevard
Deer Park, NY 11729

Re: 4 & 6 Gilbert Street
"Apron"

Dear Mr. & Mrs. Boussios:

Please be informed that the Village of Patchogue, along with all other Villages in the State of New York, has not been able to obtain liability insurance on its streets and sidewalks and should an accident occur, the Village would be open to serious liability suit. We must see to it that the adjacent land owners keep their property in repair. We trust you will understand our aim in keeping sidewalks in repair and our liability at a minimum.

A violation has been found on your premises. Therefore, please take notice that pursuant to Ordinance 73 of the Incorporated Village of Patchogue and Section 73.1 of the Village Law of the State of New York, you are hereby required within two (2) weeks after the time of the service of this notice upon you, to repair and make safe, wholly at your expense, the sidewalk in front of the complex allegedly owned by you, being known and designated as 4 & 6 Gilbert Street, Patchogue, NY 11772.

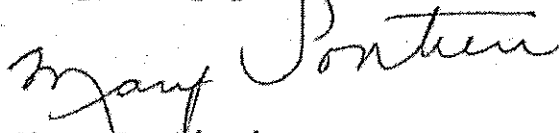
The sidewalk shall be repaired and made safe in accordance with the established grade line and in accordance with the specifications set forth in Ordinance 73 of the Incorporated Village of Patchogue. All work to be performed in a good and workmanlike manner and all materials to be standard grade and free from defects.

IN THE EVENT you do not repair and make safe such sidewalk as required by this notice within the time specified, the Board of Trustees of the Incorporated Village of Patchogue, Suffolk County, New York, will cause such sidewalk to be repaired and made safe,

and will assess the expense thereof upon the aforesaid premises adjoining said sidewalk, to you, in accordance with the provisions of the Village Law of the State of New York relating thereto.

If you feel an extension of time will be necessary, if you have any questions, or if we can be of further assistance, please contact the Village Clerk's office or the Superintendent of Public Works and we will endeavor to assist you in any way possible. For your information, we are enclosing a copy of Ordinance 73.

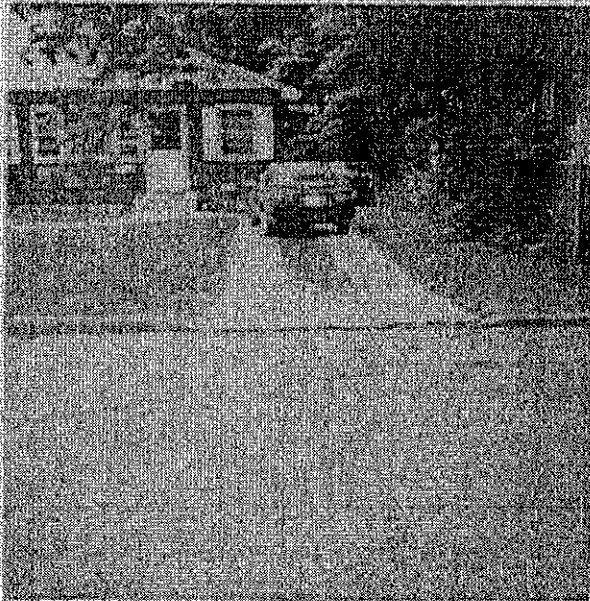
Very truly yours,

A handwritten signature in cursive script, appearing to read "Mary Pontieri".

Mary Pontieri
Village Clerk

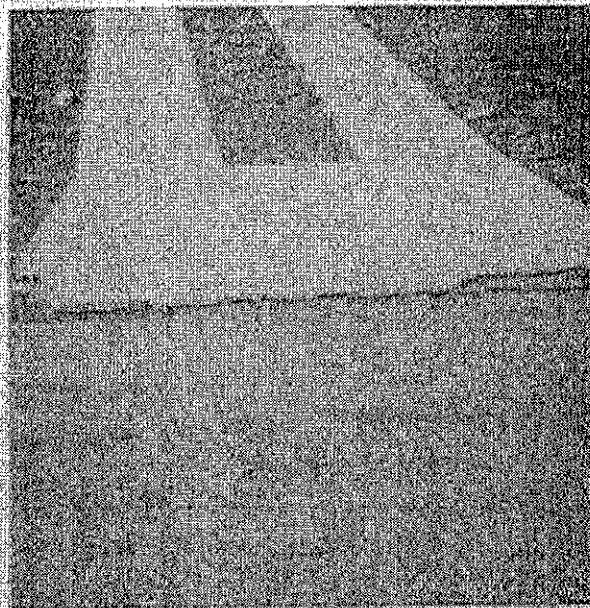
/kl
Enclosure

boussiasidewalklettergilbert

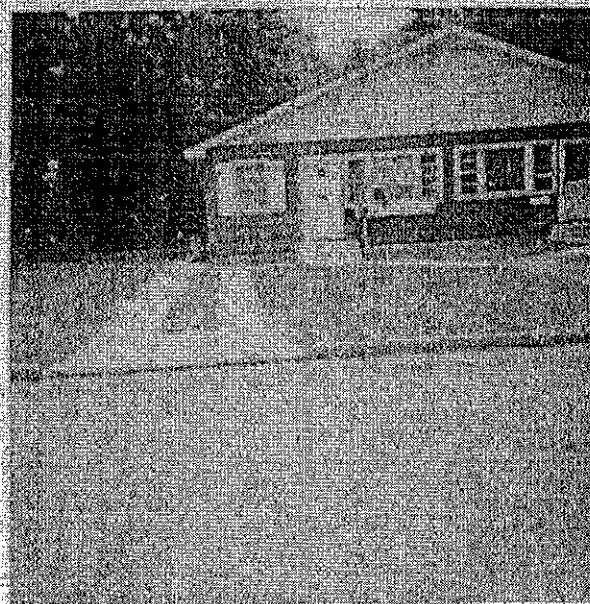


6-30-99

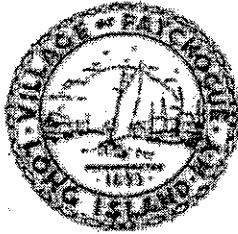
Mary
Various Location
for Letters to
repair
check with Steve
about 46 Gilbert?



6 Gilbert
6-30-99



4 Gilbert
6-30-99



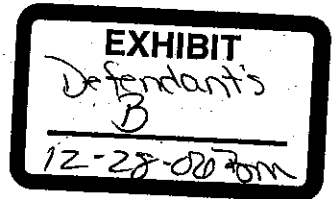
INCORPORATED

Village of Patchogue

14 Baker Street • Post Office Box 719
PATCHOGUE, NEW YORK 11772

Return Receipt Requested

May 28, 1999



Richard and Marlene Minto
189 North Ocean Avenue
Patchogue, NY 11772

Re: 189 North Ocean Avenue
Patchogue, NY 11772

Dear Mr. and Mrs. Minto:

On 8/12/98 you were notified by registered letter that the sidewalk at the above captioned address was in need of repair.

As of this date, the work has not been completed. The Village of Patchogue has contacted Debut Concrete and will begin work on or about June 21, 1999. As stated in Chapter 73-1-B7, Sidewalk Construction and Repair:

"In the event that the owner of the property concerned shall fail to perform the work required by said notice in the manner set forth therein, within the time specified, the Board of Trustees may cause the sidewalk concerned to be repaired and made safe and the cost thereof shall be assessed against the property concerned

If you have any questions, please contact me at 475-4300.

Sincerely,

Mary Pontieri
Mary Pontieri
Village Clerk

MP/kg

cc: Daniel Wirshup
Superintendent of Highways
Enclosures

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your return address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will adhere to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

- ☐ Addressee's Address
- ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:
 Richard + MARLENE MINTO
 189 N OCEAN AVE
 PATCHOGUE, NY 11772

4a. Article Number
 2518 172 744

4b. Service Type

<input type="checkbox"/> Registered	<input checked="" type="checkbox"/> Certified
<input type="checkbox"/> Express Mail	<input type="checkbox"/> Insured
<input type="checkbox"/> Return Receipt for Merchandise	<input type="checkbox"/> COD

7. Date of Delivery
 6/1/99

5. Received By: (Print Name)
 MARLENE MINTO

6. Signature: (Addressee or Agent)
 X *[Signature]*

8. Addressee's Address (Only if requested and fee is paid)

Thank you for using Return Receipt Service.

ATED

Patchogue

Post Office Box 719
 NEW YORK 11772

Receipt Requested

1999

PS Form 3811, December 1994 102595-07-0-0778 Domestic Return Receipt

PS Form 380

TOTAL Postage & Fees
 1.00

Postmark or Date

Re: 189 North Ocean Avenue
 Patchogue, NY 11772

MINTO:

On 8/12/98 you were notified by registered letter that the sidewalk at the above captioned address was in need of repair.

As of this date, the work has not been completed. The Village of Patchogue has contacted Debut Concrete and will begin work on or about June 21, 1999. As stated in Chapter 73-1-B7, Sidewalk Construction and Repair:

"In the event that the owner of the property concerned shall fail to perform the work required by said notice in the manner set forth therein, within the time specified, the Board of Trustees may cause the sidewalk concerned to be repaired and made safe and the cost thereof shall be assessed against the property concerned

If you have any questions, please contact me at 475-4300.

Sincerely,
[Signature]
 Mary Pontieri
 Village Clerk

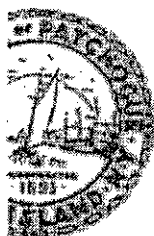
MP/kg
 cc: Daniel Wirshup
 Superintendent of Highways
 Enclosures

Receipt for Certified Mail

No Insurance Coverage Provided.

Do not use for International Mail (See reverse)

Send to R. M. Minto	
Street & Number 189 N. OCEAN AVE	
Post Office, State, & ZIP Code PATCHOGUE 11772	
Postage	\$ 5.55
Certified Fee	2.65
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Addressee's Address	
TOTAL Postage & Fees	\$ 3.20
Postmark or Date	



INCORPORATED

Village of Patchogue

14 Baker Street • Post Office Box 719
PATCHOGUE, NEW YORK 11772

Return Receipt Requested

May 28, 1999

• (516) 475-4300
• (516) 475-4314

Minto
ue
'2

Re: 189 North Ocean Avenue
Patchogue, NY 11772

On 8/12/98 you were notified by registered letter that the sidewalk at the above captioned address was in need of repair.

As of this date, the work has not been completed. The Village of Patchogue has contacted Debut Concrete and will begin work on or about June 21, 1999. As stated in Chapter 73-1-B7, Sidewalk Construction and Repair:

"In the event that the owner of the property concerned shall fail to perform the work required by said notice in the manner set forth therein, within the time specified, the Board of Trustees may cause the sidewalk concerned to be repaired and made safe and the cost thereof shall be assessed against the property concerned.

If you have any questions, please contact me at 475-4300.

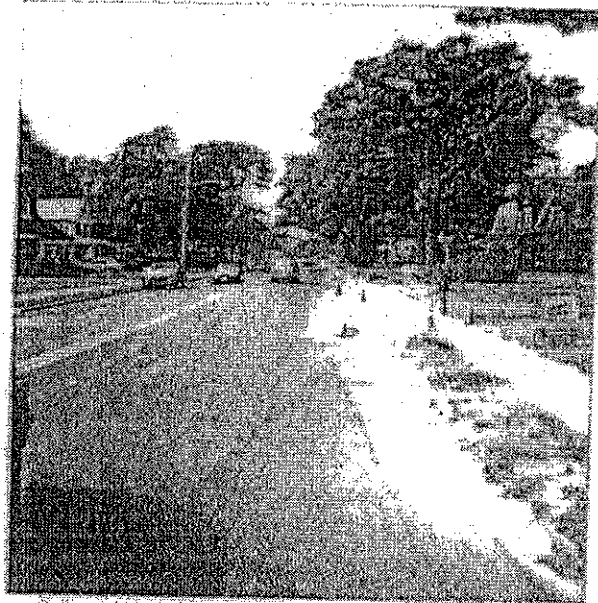
Sincerely,

Mary Pontieri
Mary Pontieri
Village Clerk

MP/kg

cc: Daniel Wirshup
Superintendent of Highways
Enclosures

clerk/sidewalk, 189n ocean 52899



185-189 N. Ocean
6-28-99.



VOLLMUTH & BRUSH

200 BLUE POINT AVENUE
BLUE POINT, NEW YORK 11715-1204

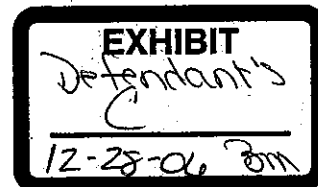
Planning, Environmental Engineering & Land Surveying

TEL 631-363-2683 • 212-775-0988

FAX 631-363-2062 • VOLLBRUSH.COM

January 5, 2004

Hon. Edward A. Ihne, Mayor
Incorporated Village of Patchogue
14 Baker Street
Patchogue, New York 11772



Re: **Debut Concrete Investigation**
Invoice # 597, Division Ave. Baker Street, South Ocean Avenue

Dear Mayor Ihne:

Pursuant to your request, I have prepared a report of the Jennings Avenue Improvement work installed under Invoice # 597. The following summarizes my findings regarding this Invoice:

The Village of Patchogue paid Debut Concrete a total of \$15,752.50 as reimbursement for charges detailed under the subject Invoice. My investigation indicates that the correct reimbursement should have been \$13,763.00. The overpayment of \$1,989.50 represents 14.5% of the corrected invoice.

The primary deficiencies found on this invoice include charges for improvement quantities that were not installed and application of the incorrect County Contract unit charges.

The following errors resulted in over payment to Debut Concrete:

- ◆ **The major overpayment errors (\$1,989.50) involved in the Invoice reimbursements were caused by:**
 - 1.0 Failure to inspect the improvements during installation to ensure that the design specifications were being complied with. Debut Concrete charged for improvements that were not properly installed.
 - 2.0 Failure to maintain detailed field records of the installation. This resulted in an overpayment for as built installed quantities of sidewalk, curbing and brick pavement.
 - 3.0 The contractor applied the incorrect unit cost rates for the work completed on the project and charged for work that was not installed
 - 4.0 It appears that Village staff attempted to correct the invoice with respect to Item 1A. The charge rate for the improvement was modified/revised by hand written note to \$2,291.40 based on a rate of \$40.00 per sq.yds. (\$359.00 savings). The final invoice amount however was not corrected and the Purchase order signed by Mr. Wirshup was apparently issued for the full amount regardless of the notation.

If you have any questions concerning this report or the attached Invoice reviews please contact me at your convenience.

VOLLMUTH & BRUSH

Jeffrey P. Vollmuth, P.E.

Vollmuth Brush Inspection Comparison

DEBUT CONCRETE

140 FELL COURT
HAUPPAUGE, NY 11788

Invoice

DATE	INVOICE #
6/21/2001	597

BILL TO

PATCHOGUE, INC. VILLAGE OF
14 BAKER STREET
PATCHOGUE, NY 11772

ATTN: DAN WIRSHUP

PROJECT/JOB

VILLAGE OF PATCHOGUE
DIVISION AVE
BAKER STREET
SOUTH OCEAN AVE
PATCHOGUE, N.Y. 11772

P.O. NO.

DESCRIPTION

AMOUNT

BELOW IS OUR BILL FOR WORK PERFORMED AT THE ABOVE
REFERENCED LOCATIONS ALL WORK WAS PERFORMED UNDER
SUFFOLK COUNTY DEPARTMENT OF PUBLIC WORKS LETTING
CURBS & SIDEWALK

1) DIVISION ST., BAKER ST., & S. OCEAN AVE.

A) REMOVED AND REPLACED 6" SIDEWALK AT 4 HANDICAPPED
RAMP ITEM 105SRXWT

57 SQ. YDS @ \$46.50 PER SQ. YD 40.20

B) REMOVED AND REPLACED 64 LF CURB AT 4 HANDICAPPED
RAMPS ITEM 97 ARWT 10C @ \$12 PER LF

2,291.40
~~2,650.50~~
768.00

2) RAILROAD STATION SOUTH OCEAN AVENUE

A) REMOVED AND REPLACED 4" SIDEWALK ITEM 105SRXWT 310
235 SQ. YDS. @ \$27.00 PER SQ. YD.

6,345.00

3) FRONT OF ST. FRANCIS CHURCH

A) REMOVED AND REPLACED 4" SIDEWALK ITEM 105SRXWT 310 78
SQ. YDS. @ \$27.00 PER SQ. YD

2,106.00

B) PLACED CURBING ITEM 97AWT 93LF @ \$11.00 PER LF

1,023.00

4) SOUTH OCEAN AVE AT RAILROAD STATION

PLACED BRICK PAVERS ITEM 79 BP 260 SQ. FT. @ \$11.00 PER SQ. FT.

2,860.00

Total

\$15,752.50

TEL: (516) 232-4460

FAX: (516) 232-5345

INC. VILLAGE OF PATCHOGUE
14 BAKER STREET BOX 719
PATCHOGUE NEW YORK 11772
516-475-4300

Purchase Order

42262

This order number must appear on all packages, correspondence, invoices and shipping papers.

to Debut Concrete

SHIP TO US AT ABOVE ADDRESS IF NOT FILLED IN

30 Reg. Ave SHIPS

DATE 5-01 DATE REQUIRED BUDGET CODE 603-5115-0342-0103 NOT SUBJECT TO SALES TAX

ITEM NO.	QUANTITY	DESCRIPTION	PRICE	PER	AMOUNT
503		Removal of sidewalk			2,291
		Lead cap for RS			
		Rak 4' x 1' curbing			708
		Rak 2' sidewalk at RR Station			634.50
		Rak 2' sidewalk for Church			2,106
734		Curbing			1,023
		Brick Pavers			2,860
		See P. 6/4/01			15,735
		Inst 597			
		As for 300RW			
		9-01-320			

Instructions and Conditions

1. Please notify us immediately if you are unable to ship complete order by date specified.

2. Merchandise subject to inspection on arrival.

AUTHORIZED SIGNATURE



VOLLMUTH & BRUSH

200 BLUE POINT AVENUE
BLUE POINT, NEW YORK 11715-1204

Planning, Environmental Engineering & Land Surveying

TEL 631-363-2683 • 212-775-0988

FAX 631-363-2062 • VOLLBRUSH.COM

January 5, 2004

Hon. Edward A. Ihne, Mayor
Incorporated Village of Patchogue
14 Baker Street
Patchogue, New York 11772

**Re: Debut Concrete Investigation
Invoice # 4741, Jennings Avenue**

Dear Mayor Ihne:

Pursuant to your request, I have prepared a report of the Jennings Avenue Improvement work installed under Invoice # 4741. The following summarizes my findings regarding this Invoice:

The Village of Patchogue paid Debut Concrete a total of \$3,306.06 as reimbursement for charges detailed under the subject Invoice. My investigation indicates that the correct reimbursement should have been \$2,380.08. The overpayment of \$925.98 represents 39% of the corrected invoice.

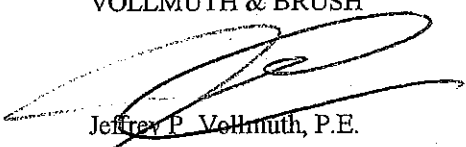
The primary deficiencies found on this invoice include curb installed at less than the required depth, quantity over reporting and installation of monolithic curb and sidewalk sections.

The following errors resulted in over payment to Debut Concrete:

- ♦ **The major overpayment errors (\$925.95) involved in the Invoice reimbursements were caused by:**
 - 1.0 Failure to inspect the improvements during installation to ensure that the design specifications were being complied with. Debut Concrete charged for improvements that were not properly installed. Measured curb depths of 10 inches and 13 inches were found along the curb line. An 18 inch curb is required per standard. This results in the majority of the overpayment issue on this invoice based on a prorated unit cost charge.
 - 2.0 Failure to maintain detailed field records of the installation. This resulted in an overpayment for as built installed quantity of curb.
 - 3.0 The contractor incorrectly installed the curb and sidewalk sections at House # 123, #131, #134, #140 as monolithic sections which does not comply with Suffolk County or Village of Patchogue Criteria/Requirements. Residents at each of the locations cited paid separately for sidewalk sections that are not correctly installed.

If you have any questions concerning this report or the attached Invoice reviews please contact me at your convenience.

VOLLMUTH & BRUSH



Jeffrey P. Vollmuth, P.E.

Item#	Invoice Quantity	Invoice Unit	Invoice Charge	Inspection Quantity	Inspection Unit Cost	Inspection Charge	Variance	Comment
1	#123 Jennings Ave. Remove and Replace Concrete Curb	99 lin.ft.	\$ 8.45	97.0 lin.ft.	\$ 6.10	\$ 591.97	\$ 244.98	Curb installed monolithic with sidewalk and apron.
2	#131 Jennings Ave. Remove and Replace Concrete Curb	66.25 lin.ft.	\$ 8.45	65.0 lin.ft.	\$ 6.10	\$ 402.78	\$ 157.03	Curb installed monolithic with sidewalk and apron.
3	#134 Jennings Ave. Remove and Replace Concrete Curb	61 lin.ft.	\$ 8.45	61.0 lin.ft.	\$ 6.10	\$ 372.27	\$ 143.13	Curb installed monolithic with sidewalk and apron.
4	#140 Jennings Ave. Remove and Replace Concrete Curb	84 lin.ft.	\$ 8.45	84.0 lin.ft.	\$ 6.10	\$ 390.59	\$ 150.22	Curb installed monolithic with sidewalk and apron.
5	#144 Jennings Ave. Remove and Replace Concrete Curb	101 lin.ft.	\$ 8.45	102.0 lin.ft.	\$ 6.10	\$ 622.48	\$ 230.97	Curb, sidewalk and apron installed as separate items, non monolithic.
			Totals			\$ 2,380.08	\$ 925.98	

Original Debut Invoice Amount: \$ 3,306.06
D. Worship Corrected Invoice Amount:
Actual Sum Total of D. Worship Corrections: \$ 2,380.08
VAB Inspection Based Correction \$ 925.98
Overall Estimated Overpay of Invoice \$ 38.91%
Percent over payment

Letting No. 6-97 2.26 Contract Rates, Area 1:

Description	Quantity	Unit	Primary Vendor
Total Type A Curb installed: remove and replace	391.25	lin. ft.	Vendor
Total Type A Curb installed:remove and replace	290.25	lin. ft.	Unit Cost Item
			\$8.45 7C
			Debut
			\$8.45 7C
			Debut

Note on item 1:
Inspection of Curb Depth indicates 13 inch and 10 inch depth installed this analysis will assume 13 inches
Unit costs will be pro rate reduced to reflect 13 inches of concrete vs. 18 inches

**DEBUT CONCRETE
CONSTRUCTION INC.**

140 FELL COURT
SUITE 12
HAUPPAUGE, NY 11788

Invoice

DATE	INVOICE #
7/27/98	4741

BILL TO
INC. VILLAGE OF PATCHOGUE 14 BAKER STREET PATCHOGUE, NY 11772

PROJECT/JOB
JENNINGS AVE. CONCRETE CURBING

P.O. NO.

DESCRIPTION	AMOUNT
BELOW IS OUR BILL FOR WORK PERFORMED AT THE ABOVE REFERENCED JOB REMOVAL AND REPLACEMENT OF CONCRETE CURB AT LOCATIONS BELOW, AS PER S.C. DPW CONTRACT # 6-97.2.26 #123 99 LF #131 66.25 L #134 61 LF #140 64 LF #144 101 LF TOTAL 391.25 LF @ \$8.45 PER LF	3,306.06
	Total \$3,306.06



Incorporated Village of Patchogue

14 BAKER STREET, PATCHOGUE, N.Y. 11772

VOUCHER

DEPARTMENT VENDOR No. 492500

CLAIMANT'S
NAME
AND
ADDRESS

DEBUT CONCRETE *Const. Inc.*
140 FELL COURT
HAUPPAUGE, NY 11788

Do Not Write In This Box — For Municipal Use Only

Date Voucher Received <u>8-25-98</u>	
FUND - APPROPRIATION	AMOUNT
<u>003-5112-0209</u>	<u>3306106</u>
TOTAL	<u>3306106</u>
Check No. <u>30960</u>	P. O. No. <u>37742</u>

Voucher No. 48318 Vendor's Ref. No.

Dates	Quantity	Description of Materials or Service	Unit Price	Amount
<u>7/27/98</u>		<u>Jennings Ave.</u>		
	<u>391.25 LF</u>		<u>845</u>	<u>3306 06</u>
		<u>per invoice #4741</u>		
			TOTAL	<u>3306 06</u>

CLAIMANT'S CERTIFICATION

STEPHEN H. MILVIO

I, STEPHEN H. MILVIO, certify that the above account in the amount of \$ 3306.06 is true and correct; that the items, services and disbursements charged were rendered to or for the municipality on the dates stated; that no part has been paid or satisfied; that taxes, from which the municipality is exempt, are not included; and that the amount claimed is actually due.

7/31/98
DATE

Stephen H. Milvio
SIGNATURE

(Do not Write In Space Below — For Municipal Use Only)

DEPARTMENT APPROVAL

The above services or materials were rendered or furnished to the municipality on the dates stated and the charges are correct.

8-21-98
DATE

D. Wilby
AUTHORIZED OFFICIAL

APPROVAL FOR PAYMENT

This claim is approved and ordered paid from the appropriations indicated above.

9/9/98
DATE

AUDITING BOARD

INC. VILLAGE OF PATCHOGUE
14 BAKER STREET, BOX 719
PATCHOGUE, NEW YORK 11772
516-475-4300

Purchase Order

37742

This order number must appear on all packages, correspondence, invoices and shipping papers.

SHIP TO: US AT ABOVE ADDRESS IF NOT FILLED IN

TO Debut Concrete Const.

140 Fell Court
Suite 12

Hauppauge NY Chips

DATE 8/19/98 DATE REQUIRED BUDGET Code(s) 03-5112-0209 NOT SUBJECT TO SALES TAX

ITEM NO.	QUANTITY	DESCRIPTION	PRICE	PER	AMOUNT
23 Jennings	99 LF	Remove + Replace Concrete Curb	8.45	LF	836.55
131	66.25	"	8.45	LF	559.81
134	61	"	8.45	LF	515.45
140	64	"	8.45	LF	540.80
144	101	"	8.45	LF	853.45
Rec 7-27-98					3,306.61
Inv # 4741					
Jennings Ave					
219 Mulford	110 LF	Remove 30" Gutter	8.75	LF	962.50
	6.8 yds	Remove 30" Gutter	110.00	yd	748.00
Rec 7/27/98					1,710.50
Inv # 4742					
Mulford ST.					5,017.11
Dwight					

Instructions and Conditions

- Please notify us immediately if you are unable to ship complete order by date specified.
- All materials subject to inspection on arrival, notwithstanding prior payment to obtain cash discount.

[Signature]
AUTHORIZED SIGNATURE

Village of Patchogue

Original Debit Invoice Amount:	\$	15,752.50
D. Worship Corrected Invoice Amount:		
Actual Sum Total of D. Worship Corrections:	\$	13,763.00
V&B Inspection Based Correction	\$	1,989.50
Overall Estimated Overpay of Invoice		14.46%
Percent over payment		

(letting Number not Specified in Invoice Apply based on date of Invoice 6/21/01 & Letting 4/19/01)

Letting No. 9-01.3.20 Contract Rates, Area 1:

Description	Quantity	Unit	Primary Vendor			Secondary Vendor		
			Unit Cost	Item	Vendor	Unit Cost	Item	Vendor
Sidewalk Remove and Replace (4 inch and 6 inch)	342.0	sq.yds remove and replace	\$ 27.00	31D	Jadeco	\$ 27.50	31D	Jadeco
Total Type A Curb Installed	85.42	lin. ft. Install only	\$8.40	1A	Jadeco	\$11.00	1A	Debut
Total Type A Curb Removed and Replaced	63.3	lin.ft. remove and replace	\$9.90	7A	Jadeco	\$12.00	7A	Debut
Bitck Paving	250.70	sq.ft.	\$8.95	76BP	Jadeco	\$ 11.00	76BP	Debut

Note on Item 2:
Sidewalk Depth measured at 3.5 inches, 4 inches charged (3) locations tested

Item#	Invoice Quantity	Unit	Invoice Unit Cost	Invoice Charge	Inspection Quantity	Inspection Unit	Inspection Unit Cost	Inspection Charge	Variance	Comment
1	#123 Jennings Ave. Remove and Replace Concrete Curb	99 lin.ft.	\$ 8.45	\$ 835.55	97.0 lin.ft.		\$ 6.10	\$ 591.97	\$ 244.58	Curb installed monolithic with sidewalk and apron.
2	#131 Jennings Ave. Remove and Replace Concrete Curb	65.25 lin.ft.	\$ 8.45	\$ 550.81	65.0 lin.ft.		\$ 6.10	\$ 402.78	\$ 148.03	Curb installed monolithic with sidewalk and apron.
3	#131 Jennings Ave. Remove and Replace Concrete Curb	61 lin.ft.	\$ 8.45	\$ 515.45	61.0 lin.ft.		\$ 6.10	\$ 372.27	\$ 143.18	Curb installed monolithic with sidewalk and apron.
4	#140 Jennings Ave. Remove and Replace Concrete Curb	64 lin.ft.	\$ 8.45	\$ 540.80	64.0 lin.ft.		\$ 6.10	\$ 390.58	\$ 150.22	Curb installed monolithic with sidewalk and apron.
5	#144 Jennings Ave. Remove and Replace Concrete Curb	101 lin.ft.	\$ 8.45	\$ 853.45	102.0 lin.ft.		\$ 6.10	\$ 622.43	\$ 231.02	Curb sidewalk and apron installed as separate items, non monolithic.
			Totals							
			\$ 3,306.06							

Original Debut Invoice Amount: \$ 3,306.06
 D. Workshop Corrected Invoice Amount:
 Actual Sum Total of D. Workshop Corrections, \$ 2,390.08
 V&B Inspection Based Correction \$ 925.98
 Overall Estimated Overpay of Invoice \$ 38.91%
 Percent over payment

Letting No. 6-97.2.26 Contract Rates, Area 1:

Description	Quantity	Unit	Primary Vendor Unit Cost Item	Vendor Debit
Total Type A Curb installed: remove and replace	391.25	lin. ft. remove and replace	\$8.45 7C	Debit
Total Type A Curb installed: remove and replace	250.25	lin. ft. remove and replace	\$8.45 7C	Debit

Note on item 1:
 Inspection of Curb Depth indicates 13 inch and 10 inch depth installed this analysis will assume 13 inches
 Unit costs will be pro rata reduced to reflect 13 inches of concrete vs. 18 inches